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Samuel H. Dworesky

AT&T CORP.

P.O. Box 4110

Middletown, NJ 07748-4110

EXAMINER

NGUYEN, THU HA T

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,440

Applicant(s)

BELANGER ET AL.

Examiner

Thu Ha T. Nguyen

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims **1-29** are presented for examination.

Claim Objections

2. Claims 1 and 15 are objected to because of the following informalities:

Claim 1 recited the limitation "the service control component" in line 10.

Claim 15 recites the limitation "the end user service control component " in line 9.

There is insufficient antecedent basis for these limitations in these claims.

Appropriate correction is required.

Response to Arguments

3. Applicant's arguments filed May 25, 2005 have been fully considered but they are not persuasive because of the following reasons:

4. Applicant argues that there is not motivation to combine the references. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the reason to combine the teachings of Richardson into Nozaki to include an display icon that represented of service provider and provide real-time update because it would have an efficient

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communications system that can display, manage and monitor computer network in real-time, thus dynamically creating and updating nodal views of managed network environment.

5. Applicant argues that Nozaki does not teach selecting preferences for displaying and displaying content information. In response to applicant's argument, examiner asserts that Nozaki does teach the feature of selecting preferences for displaying and displaying content information as shown in col. 1, lines 22-41, col. 6, lines 9-19, col. 7, lines 8-col. 9, lines 11.

6. Applicant argues that Nozaki does not teach a proxy multiplexer which receives and aggregates content information from a plurality of provider. In response to applicant's argument, the examiner asserts that Nozaki does teach the feature of a proxy multiplexer which receives and aggregates content information from a plurality of provider as shown in figures 1, 3, col. 5, lines 35-67, col. 7, lines 37-col. 8, lines 56.

7. Applicant argues that the prior art does not teach a proxy multiplexer which receives and aggregates content information from a plurality of provider and an end user control component that represents the provider as icons updated whenever new information and content is provided. The examiner asserts that Nozaki does teach the feature of a proxy multiplexer which receives and aggregates content information from a plurality of provider as shown in figures 1, 3, col. 5, lines 35-67, col. 7, lines 37-col. 8, lines 56.

However, Nozaki does not explicitly teach wherein each respective provider is represented by an individual icon within the end user component each individual icon

being updated whenever new information is provided from the respective service provider associated with that icon.

Richardson teaches wherein each respective provider is represented by an individual icon within the end user component each individual icon being updated whenever new information is provided from the respective service provider associated with that icon (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to include an display icon that represented of service provider and provide real-time update because it would have an efficient communications system that can display, manage and monitor computer network in real-time, thus dynamically creating and updating nodal views of managed network environment.

8. As a result, cited prior art does disclose a system and method for integrating content information from a plurality of service providers, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

9. Therefore, the examiner asserts that cited prior art teaches or suggests the subject matter broadly recited in independent claims 1, 7, 15 and 24. Claims 2-6, 8-14, 16-23 and 25-29 are also rejected at least by virtue of their dependency on independent claims and by other reasons set forth in this office action below. Accordingly, claims 1-29 are rejected.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1-29 are rejected under 35 U.S.C. §103 (a) as being unpatentable over **Nozaki** U.S. Patent No. **6,128,644**, in view of **Richardson** U.S. Patent No. **6,054,987**.

12. As to claim 1, Nozaki teaches the invention as claimed, including a computer readable medium having a computer program encoded thereon, comprising:

a first portion of said medium having a first program segment for facilitating a selection of preferences for content information to be displayed as part of a service control component (col. 6, lines 9-19, col. 7, lines 25-52);

a second portion of said medium having a second program segment for receiving over a communication network content information from a plurality of service providers in accordance with said selected preferences (abstract, col. 5, lines 36-67, col. 7, lines 37-col. 8, lines 43); and

a third portion of said medium having a third program segment for displaying said content information within the service control component (col. 1, lines 22-41, col. 7, lines 8-col. 9, lines 11).

However, Nozaki does not explicitly teach wherein at least one of the plurality of service providers is represented in the service control component by a unique icon that includes real time status updates.

Richardson teaches wherein at least one of the plurality of service providers is represented in the service control component by a unique icon that includes real time status updates (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to include an display icon that represented of service provider and provide real-time update because it would have an efficient communications system that can display, manage and monitor computer network in real-time.

13. As to claim 2, Nozaki teaches the invention as claimed, wherein a proxy multiplexer aggregates the information received from the plurality of service providers (figure 3, col. 7, lines 37-col. 8, lines 56).

14. As to claim 3, Nozaki teaches the invention as claimed, wherein the service control component is configured in conjunction with a browser (figures 1, 3, col. col. 5, lines 55-col. 6, lines 61, col. 7, lines 8-35).

15. As to claim 4, Richardson teaches the invention as claimed, wherein the service control component is an embedded control bar (figures 3-5). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 1, *supra*.

16. As to claim 5, Richardson teaches the invention as claimed, wherein the service control component is an independent display object (figures 3-5). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 1, *supra*.

17. As to claim 6, Richardson teaches the invention as claimed, wherein said unique icon is selectable by the user to retrieve additional information from a corresponding one of said service providers (figure 5, col. 5, lines 30-52). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 1, *supra*.

18. As to claim 7, Nozaki teaches the invention as claimed, including a service controller system for integrating information from a plurality of service providers, comprising:

a proxy multiplexer which receives content information from the plurality of providers, wherein the proxy multiplexer aggregates the content information from the plurality of providers (figures 1, 3, col. 5, lines 35-67, col. 7, lines 37-col. 8, lines 56); and

an end user service control component which receives content information from the proxy multiplexer (figures 1, 3, col. 1, lines 22-41, col. 5, lines 55-col. 6, lines 19, col. 7, lines 8-col. 9, lines 11).

However, Nozaki does not explicitly teach wherein each respective provider is represented by an individual icon within the end user component, at least one of said icons displaying the most current information received from its associated provider.

Richardson teaches wherein each respective provider is represented by an individual icon within the end user component, at least one of said icons displaying the most current information received from its associated provider (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to include an display icon that represented of service provider and provide real-time update because it would have an efficient communications system that can display, manage and monitor computer network in real-time.

19. As to claim 8, Nozaki teaches the invention as claimed, wherein at least one of the plurality of providers is an HTTP server (col. 1, lines 23-41, col. 6, lines 21-61).

20. As to claim 9, Nozaki teaches the invention as claimed, wherein the end user component is integrated as part of a browser (figures 1, 3, col. 5, lines 55-col. 6, lines 61, col. 7, lines 8-35).

21. As to claim 10, Nozaki teaches the invention as claimed, wherein the end user component is a stand- alone object (figures 1, 3, col. 5, lines 55-col. 6, lines 61, col. 7, lines 8-35).

22. As to claim 11, Richardson teaches the invention as claimed, wherein new providers may be added for display in the user's end user component via a centralized server (col. 1, lines 37-col. 2, lines 8). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 7, *supra*.

23. As to claim 12, Nozaki teaches the invention as claimed, wherein the centralized server is an HTTP server having SSL capabilities (col. 6, lines 57-61).

24. As to claim 13, Nozaki teaches the invention as claimed, further comprising a second end user component, wherein both end user components receive information from the proxy multiplexer (figures 1, 3, col. 1, lines 22-41, col. 5, lines 55-col. 6, lines 19, col. 7, lines 8-col. 9, lines 11).

However, Nozaki does not explicitly teach having individual icons representing others of the plurality of service providers.

Richardson teaches having individual icons representing others of the plurality of service providers (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 7, *supra*.

25. As to claim 14, Richardson teaches the invention as claimed, wherein said individual icon may be selected to retrieve additional information from a corresponding one of said service providers (figure 5, col. 5, lines 30-52). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 7, *supra*.

26. As to claim 15, Nozaki teaches the invention as claimed, including a service controller system comprising:

a plurality of service providers that provide information and content to a plurality of users (figure 1, col. 5, lines 35-67);

a proxy multiplexer for each of the plurality of users that receives information and content from the plurality of providers, wherein each proxy multiplexer aggregates the information and content from the plurality of providers for each user (figures 1, 3, col. 5, lines 35-67, col. 7, lines 37-col. 8, lines 56); and

an end user control component which continuously receives updated information and content from the proxy multiplexer (figures 1, 3, col. 1, lines 22-41, col. 5, lines 55-col. 6, lines 19, col. 7, lines 8-col. 9, lines 11).

However, Nozaki does not explicitly teach wherein each respective provider is represented by an individual icon within the end user component each individual icon being updated whenever new information is provided from the respective service provider associated with that icon.

Richardson teaches wherein each respective provider is represented by an individual icon within the end user component each individual icon being updated whenever new information is provided from the respective service provider associated with that icon (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to include an display icon that represented of service provider and provide real-time update because it would have an efficient communications system that can display, manage and monitor computer network in real-time.

27. As to claim 16, Richardson teaches the invention as claimed, wherein the end user component includes a display portion that contains the provider icons (figure 5, col. 5, lines 30-52). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 15, supra.

28. As to claim 17, Nozaki teaches the invention as claimed, wherein the end user component is integrated as part of a Web browser (figures 1, 3, col. col. 5, lines 55-col. 6, lines 61, col. 7, lines 8-35).

29. As to claim 18, Nozaki teaches the invention as claimed, wherein the end user component is a stand- alone display object (figures 1, 3, col. col. 5, lines 55-col. 6, lines 61, col. 7, lines 8-35).

30. As to claim 19, Richardson teaches the invention as claimed, wherein new providers may be added for display in the user's end user component via a centralized server (col. 1, lines 37-col. 2, lines 8). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 15, supra.

31. As to claim 20, Nozaki teaches the invention as claimed, wherein the centralized server is an HTTP server having SSL capabilities (col. 6, lines 57-61).

32. As to claim 21, Nozaki teaches the invention as claimed, wherein the proxy multiplexer is an executable without running on a user's machine (figures 1, 3, col. 5, lines 35-67).

33. As to claim 22, Richardson teaches the invention as claimed, wherein each individual icon is updated without action required of the user (col. 1, lines 37-col. 2, lines 8). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 15, supra.

34. As to claim 23, Richardson teaches the invention as claimed, wherein each individual icon provides an alert to the user when updated with new information (col. 1, lines 37-col. 2, lines 8). It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to have the same motivation as set forth in claim 15, supra.

35. As to claim 24, Nozaki teaches the invention as claimed, including a method for displaying content from a plurality of service providers as part of a service control component, comprising:

receiving from a user a selection of preferences for receiving and displaying the content (col. 6, lines 9-19, col. 7, lines 25-52);

receiving over a communication network the content from the plurality of service providers in accordance with the preferences (abstract, col. 5, lines 36-67, col. 7, lines 37-col. 8, lines 43); and

displaying the content in accordance with the preferences (col. 1, lines 22-41, col. 7, lines 8-col. 9, lines 11).

However, Nozaki does not explicitly teach wherein at least one of the plurality of service providers is represented in the service control component by a unique icon that includes real time updates comprising at least some of the received content.

Richardson teaches wherein at least one of the plurality of service providers is represented in the service control component by a unique icon that includes real time updates comprising at least some of the received content (col. 1, lines 37-col. 3, lines 45, col. 5, lines 30-52).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention was made to combine the teachings of Nozaki and Richardson to include an display icon that represented of service provider and provide real-time update because it would have an efficient communications system that can display, manage and monitor computer network in real-time.

36. As to claim 25-29, they are method claims directed for displaying content from a plurality of service providers of system claims 2-6. Claims 25-29 have similar limitations to claims 2-6; therefore, they are rejected under the same rationale.

Conclusion

37. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

38. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Ha Nguyen, whose telephone number is (571) 272-3989. The examiner can normally be reached Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Najjar Saleh, can be reached at (571) 272-4006.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thu Ha Nguyen

November 10, 2005



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER